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EXAMINER	
DICKERSON, CHAD S	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/760,009	TUIJN ET AL.	
	Examiner	Art Unit	
	Chad Dickerson	2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on *16 January 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-10* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-10* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *16 January 2004* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *see attachment*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities:

- On page 8, line 1 of paragraph [0035], the reference numerals "12-45" is suggested to be changed to -- 12-42 -- since reference numeral "45" is not present in the drawings.

Appropriate correction is required.

Claim Objections

2. Claims 3, 4, 7,and 8 are objected to because of the following informalities:

- Re claim 3: on line 2 of the claim, the phrase "from the group" is suggested to be changed to -- from a group --.
- Re claim 4: on line 2 of the claim, the phrase "from the group" is suggested to be changed to -- from a group --.
- Re claim 7: on line 2 of the claim, the phrase "from the group" is suggested to be changed to -- from a group --.
- Re claim 8: on line 2 of the claim, the phrase "from the group" is suggested to be changed to -- from a group --.

Appropriate correction is required.

Claim Rejections - 35 USC § 101

3. 35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 9 and 10 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Re claim 9: The claim is directed to a seemingly patentable computer program product. However, in the MPEP in section 2106.1 under the section describing functional descriptive material, a computer program is treated as a computer program product when a computer program is recited in conjunction with a physical structure, such as a computer memory. It is suggested to modify the claim in order for the claim to be treated as a computer program product. Claim 10 is rejected because of the dependency on claim 9.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 1-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hansen '314 (US Pat No 6441314) in view of Jackson '134 (US Pub No 2002/0071134). Re claim 1: Hansen '314 discloses a system and method for representing and controlling a production printing workflow, the method comprising:

determining by a project management system a product definition for digitally representing said printed product (i.e. in the system of Hansen '314, workflow management software is used in the print shop to prepare a print job for output. The print shop is able to digitally represent the print job on the print shop computer (116) and also determine the makeup of the print job, considered analogous to determining a product definition. The workstation computers (114) used to input the print job data of the user is used in this system to also determine the components of the print job. Both workstation computers (114 and 116) can be used to digitally represent the print job since both can display the print job; see figs. 1-4b; col. 3, lines 15-67, col. 4, lines 1-67, col. 5, lines 1-67 and col. 6, lines 1-67);

determining a planning for manufacturing said printed product (i.e. the workflow management software is used to arrange and rearrange pages or adding or removing pages within a document. Also, Hansen '314 offers the feature of determining what

output devices to use for manufacturing the print job based on the capabilities of the output devices. The determination of the output devices to use is considered as a plan of what output devices to use in order to get the print job in the desired result; see figs. 1-4b; col. 9, lines 2-67, col. 10, lines 1-67, col. 11, lines 1-67 and col. 12, lines 1-56);

proposing a modification of said product definition due to a constraint of said planning (i.e. in the system, if a particular capability is desired but is not available, then the system is able to propose a modification automatically or manually of how to best print the particular page. The system can introduce, or propose, a modification of the print job, which will change the attributes of the print job, because of the output device's inability to perform a feature. The output device's inability to perform a specific feature is considered as a constraint of the planning of using the output device; see figs. 1-4b; col. 9, lines 2-67, col. 10, lines 1-67, col. 11, lines 1-67, col. 12, lines 1-56, col. 18, lines 57-67 and col. 19, lines 1-29); and

requesting a person for said modification of said product definition (i.e. in the system, when an output device is incapable of performing the feature the is desired for the print job, the user is requested for manual operator intervention in order for the operator to determine the best coarse of action in handling the print job to be performed; see figs. 1-4b; col. 9, lines 2-67, col. 10, lines 1-67, col. 11, lines 1-67, col. 12, lines 1-56, col. 18, lines 57-67 and col. 19, lines 1-29).

However, Hansen '314 fails to teach requesting a person for approval of said modification.

However, this is well known in the art as evidenced by Jackson '134. Jackson '134 discloses requesting a person for approval of said modification (i.e. in the system of Jackson '134, a proposed workflow, schedule and job cost estimate is sent to a job submitter for approval. The job submitter is able to approve or disapprove of the three types of information sent to the job submitter. Then the system modifies the workflow and job cost estimate and represents this to the job submitter for approval. The system allows for the modification of the print job in order for the print job resources to be utilized in the most efficient manner. With this feature of submitting a modification of a print job to the job submitter for approval combined with the feature of modifying a print job of Hansen '314, the above feature is performed; see paragraphs [0004]-[0013]).

Therefore, in view of Jackson '134, it would have been obvious to one of ordinary skill at the time the invention was made to have the method step of requesting a person for approval of said modification in order to accept a print job or accept a varied print job with a new proposed workflow, schedule and new job cost estimate (as stated in Jackson '134 paragraphs [0004]-[0007]).

Re claim 2: The teachings of Hansen '314 in view of Jackson '134 are disclosed above. Hansen '314 discloses the method according to claim 1 further comprising using said project management system for determining said planning (i.e. in the system, if a particular capability is desired but is not available, then the system is able to propose a modification automatically or manually of how to best print the particular page. The system can introduce, or propose, a modification of the print job, which will change the

attributes of the print job, because of the output device's inability to perform a feature. The output device's inability to perform a specific feature is considered as a constraint of the planning of using the output device; see figs. 1-4b; col. 9, lines 2-67, col. 10, lines 1-67, col. 11, lines 1-67, col. 12, lines 1-56, col. 18, lines 57-67 and col. 19, lines 1-29).

Re claim 3: The teachings of Hansen '314 in view of Jackson '134 are disclosed above. Hansen '314 discloses the method according to claim 1 wherein said product definition comprises a component selected from the group consisting of a cover component, a content component and an insert component (i.e. in the system of Hansen '314, the job being identified can be many documents containing a chapter of a book, which is analogous to a content component and a cover for a book. Also, with the ability to add or insert photos at particular pages, or to add pages to the overall document, these all can be considered as insert components; see figs. 1-4b; col. 3, lines 15-67, col. 4, lines 1-67, col. 5, lines 1-67, col. 6, lines 1-67, col. 9, lines 3-67 and col. 10, lines 1-49).

Re claim 4: The teachings of Hansen '314 in view of Jackson '134 are disclosed above. Hansen '314 discloses the method according to claim 2 wherein said product definition comprises a component selected from the group consisting of a cover component, a content component and an insert component (i.e. in the system of Hansen '314, the job being identified can be many documents containing a chapter of a book, which is analogous to a content component and a cover for a book. Also, with the ability to add or insert photos at particular pages, or to add pages to the overall document, these all

can be considered as insert components; see figs. 1-4b; col. 3, lines 15-67, col. 4, lines 1-67, col. 5, lines 1-67, col. 6, lines 1-67, col. 9, lines 3-67 and col. 10, lines 1-49).

Re claim 5: Hansen '314 discloses a system and method for representing and controlling a production printing workflow, the system comprising:

means for determining by a project management system a product definition for digitally representing said printed product (i.e. in the system of Hansen '314, workflow management software is used in the print shop to prepare a print job for output. The print shop is able to digitally represent the print job on the print shop computer (116) and also determine the makeup of the print job, considered analogous to determining a product definition. The workstation computers (114) used to input the print job data of the user is used in this system to also determine the components of the print job. Both workstation computers (114 and 116) can be used to digitally represent the print job since both can display the print job; see figs. 1-4b; col. 3, lines 15-67, col. 4, lines 1-67, col. 5, lines 1-67 and col. 6, lines 1-67);

means for determining a planning for manufacturing said printed product (i.e. the workflow management software is used to arrange and rearrange pages or adding or removing pages within a document. Also, Hansen '314 offers the feature of determining what output devices to use for manufacturing the print job based on the capabilities of the output devices. The determination of the output devices to use is considered as a plan of what output devices to use in order to get the print job in the desired result; see

figs. 1-4b; col. 9, lines 2-67, col. 10, lines 1-67, col. 11, lines 1-67 and col. 12, lines 1-56);

means for proposing a modification of said product definition due to a constraint of said planning (i.e. in the system, if a particular capability is desired but is not available, then the system is able to propose a modification automatically or manually of how to best print the particular page. The system can introduce, or propose, a modification of the print job, which will change the attributes of the print job, because of the output device's inability to perform a feature. The output device's inability to perform a specific feature is considered as a constraint of the planning of using the output device; see figs. 1-4b; col. 9, lines 2-67, col. 10, lines 1-67, col. 11, lines 1-67, col. 12, lines 1-56, col. 18, lines 57-67 and col. 19, lines 1-29); and

means for requesting a person said modification of said product definition (i.e. in the system, when an output device is incapable of performing the feature the is desired for the print job, the user is requested for manual operator intervention in order for the operator to determine the best coarse of action in handling the print job to be performed; see figs. 1-4b; col. 9, lines 2-67, col. 10, lines 1-67, col. 11, lines 1-67, col. 12, lines 1-56, col. 18, lines 57-67 and col. 19, lines 1-29).

However, Hansen '314 fails to teach means for requesting a person for approval of said modification.

However, this is well known in the art as evidenced by Jackson '134. Jackson '134 discloses means for requesting a person for approval of said modification (i.e. in the system of Jackson '134, a proposed workflow, schedule and job cost estimate is

sent to a job submitter for approval. The job submitter is able to approve or disapprove of the three types of information sent to the job submitter. Then the system modifies the workflow and job cost estimate and represents this to the job submitter for approval. The system allows for the modification of the print job in order for the print job resources to be utilized in the most efficient manner. With this feature of submitting a modification of a print job to the job submitter for approval combined with the feature of modifying a print job of Hansen '314, the above feature is performed; see paragraphs [0004]-[0013]).

Therefore, in view of Jackson '134, it would have been obvious to one of ordinary skill at the time the invention was made to have the means for requesting a person for approval of said modification in order to accept a print job or accept a varied print job with a new proposed workflow, schedule and new job cost estimate (as stated in Jackson '134 paragraphs [0004]-[0007]).

Re claim 6: The teachings of Hansen '314 in view of Jackson '134 are disclosed above. Hansen '314 discloses the data processing system of claim 5 further comprising means for using said project management system for determining said planning (i.e. in the system, if a particular capability is desired but is not available, then the system is able to propose a modification automatically or manually of how to best print the particular page. The system can introduce, or propose, a modification of the print job, which will change the attributes of the print job, because of the output device's inability to perform a feature. The output device's inability to perform a specific feature is considered as a constraint of the planning of using the output device; see figs. 1-4b; col. 9, lines 2-67,

col. 10, lines 1-67, col. 11, lines 1-67, col. 12, lines 1-56, col. 18, lines 57-67 and col. 19, lines 1-29).

Re claim 7: The teachings of Hansen '314 in view of Jackson '134 are disclosed above. Hansen '314 discloses the data processing system of claim 5 wherein said product definition comprises a component selected from the group consisting of a cover component, a content component and an insert component (i.e. in the system of Hansen '314, the job being identified can be many documents containing a chapter of a book, which is analogous to a content component and a cover for a book. Also, with the ability to add or insert photos at particular pages, or to add pages to the overall document, these all can be considered as insert components; see figs. 1-4b; col. 3, lines 15-67, col. 4, lines 1-67, col. 5, lines 1-67, col. 6, lines 1-67, col. 9, lines 3-67 and col. 10, lines 1-49).

Re claim 8: The teachings of Hansen '314 in view of Jackson '134 are disclosed above. Hansen '314 discloses the data processing system of claim 6 wherein said product definition comprises a component selected from the group consisting of a cover component, a content component and an insert component (i.e. in the system of Hansen '314, the job being identified can be many documents containing a chapter of a book, which is analogous to a content component and a cover for a book. Also, with the ability to add or insert photos at particular pages, or to add pages to the overall document, these all can be considered as insert components; see figs. 1-4b; col. 3,

lines 15-67, col. 4, lines 1-67, col. 5, lines 1-67, col. 6, lines 1-67, col. 9, lines 3-67 and col. 10, lines 1-49).

Re claim 9: Hansen '314 discloses a system and method for representing and controlling a production printing workflow, the computer program product comprising:

first program instructions for determining by a project management system a product definition for digitally representing said printed product (i.e. in the system of Hansen '314, workflow management software is used in the print shop to prepare a print job for output. The print shop is able to digitally represent the print job on the print shop computer (116) and also determine the makeup of the print job, considered analogous to determining a product definition. The workstation computers (114) used to input the print job data of the user is used in this system to also determine the components of the print job. Both workstation computers (114 and 116) can be used to digitally represent the print job since both can display the print job. In the system, since these functions are performed by computer systems being used, it is understood that these can be implemented as program instructions; see figs. 1-4b; col. 3, lines 15-67, col. 4, lines 1-67, col. 5, lines 1-67 and col. 6, lines 1-67);

second program instructions for determining a planning for manufacturing said printed product (i.e. the workflow management software is used to arrange and rearrange pages or adding or removing pages within a document. Also, Hansen '314 offers the feature of determining what output devices to use for manufacturing the print job based on the capabilities of the output devices. The determination of the output

devices to use is considered as a plan of what output devices to use in order to get the print job in the desired result. In the system, since these functions are performed by computer systems being used, it is understood that these can be implemented as program instructions; see figs. 1-4b; col. 9, lines 2-67, col. 10, lines 1-67, col. 11, lines 1-67 and col. 12, lines 1-56); and

third program instructions for sending a proposed modification of said product definition, due to a constraint of said planning (i.e. in the system, if a particular capability is desired but is not available, then the system is able to propose a modification automatically or manually of how to best print the particular page. The system can introduce, or propose, a modification of the print job, which will change the attributes of the print job, because of the output device's inability to perform a feature. The output device's inability to perform a specific feature is considered as a constraint of the planning of using the output device. In the system, since these functions are performed by computer systems being used, it is understood that these can be implemented as program instructions; see figs. 1-4b; col. 9, lines 2-67, col. 10, lines 1-67, col. 11, lines 1-67, col. 12, lines 1-56, col. 18, lines 57-67 and col. 19, lines 1-29),

to a person for said modification (i.e. in the system, when an output device is incapable of performing the feature the is desired for the print job, the user is requested for manual operator intervention in order for the operator to determine the best coarse of action in handling the print job to be performed. In the system, since these functions are performed by computer systems being used, it is understood that these can be

implemented as program instructions; see figs. 1-4b; col. 9, lines 2-67, col. 10, lines 1-67, col. 11, lines 1-67, col. 12, lines 1-56, col. 18, lines 57-67 and col. 19, lines 1-29).

However, Hansen '314 fails to teach to a person for approving said modification.

However, this is well known in the art as evidenced by Jackson '134. Jackson '134 discloses to a person for approving said modification (i.e. in the system of Jackson '134, a proposed workflow, schedule and job cost estimate is sent to a job submitter for approval. The job submitter is able to approve or disapprove of the three types of information sent to the job submitter. Then the system modifies the workflow and job cost estimate and represents this to the job submitter for approval. The system allows for the modification of the print job in order for the print job resources to be utilized in the most efficient manner. With this feature of submitting a modification of a print job to the job submitter for approval combined with the feature of modifying a print job of Hansen '314, the above feature is performed; see paragraphs [0004]-[0013]).

Therefore, in view of Jackson '134, it would have been obvious to one of ordinary skill at the time the invention was made to have a person for approving said modification in order to accept a print job or accept a varied print job with a new proposed workflow, schedule and new job cost estimate (as stated in Jackson '134 paragraphs [0004]-[0007]).

Re claim 10: The teachings of Hansen '314 in view of Jackson '134 are disclosed above.

Hansen '314 discloses the computer program product according to claim 9 further comprising a computer readable medium wherein said first, second and third program instructions are recorded on said medium (i.e. in Hansen '314, the program instructions that makeup the print job, determine a printing plan and proposes a modification of the print job to the system or to a person for the implementation of the modification is performed by the job preparation stations (116) with a RAM or hard disk space that can be used to store the program to be utilized; see figs. 1-4b; col. 3, lines 15-67, col. 4, lines 1-67, col. 5, lines 1-67 and col. 6, lines 1-67).

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

7. Kremer '723 (US Pat No 7003723) discloses a system and method of managing production printing workflow using workflow management software to perform the function of planning the manufacture of a print job, defining the makeup of a print job and proposing a modification of the print job if some of the print features to be performed to a print job is not capable of being performed.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chad Dickerson whose telephone number is (571)-270-1351. The examiner can normally be reached on Mon. thru Thur. 9:00-6:30 Fri. 9:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Aung Moe can be reached on (571)- 272-7314. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

CD/ CD
Chad Dickerson
September 25, 2007

AUNG S. MOE
SUPERVISORY PATENT EXAMINER
9/27/07